IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10813 of 2005

Between:

1 Karukonda Ramavaram Toddy Tappers Cooperative - Society, Kothagudem

Mandal, Khammam District, Rep. by its Member Gundala Narasaiah, S/o.

Maraiah, 65 Years, Tapper.
2 Hemachandrapuram Toddy Tappers, Cooperative Society, Kothagudem

Mandal, Khammam District rep. by its Member. Tanda Ramulu, S/o. Sailu,
48 YEARS, OCC. Tapper.
3 Commanapally Toddy Tappers Cooperative Society, Kothagudem Mandal,

Khammam District, rep. by its Member Bommerla Rajaiah, S/o. ramaswamy,

55 years, Occ: Tapper.

..... PETITIONERS

AND

1 The Government of A.P., rep. by its Secretary, Home Department,

Secretariat, Hyderabad.
2 The Superintendent of Police, Khammam, Khammam District.
3 The Govt of A.P., rep. by its Secretary to Proh&Excise Dept, Secretariat,

Hyderabad.
4 The Commissioner of Excise, A.P., Hyderabad.
5 The Superintendent of Proh & Excise, Khammam, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or order or direction, more particularly one in the nature of Writ of

Mandamus by declaring the action of the respondents in interfering into the avocation of the members of the petitioner societies as illegal, arbitrary and violative of principles of natural justice and also violative of Articles 14 and 21 of the Constitution of India, consequently direct the respondents to allow the members of the petitioner societies to conduct their avocation of toddy tapping and to pass such other order or orders as it may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.V.AJAYAKUMAR

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court made the following :

O R D E R:

Petitioners' Societies are the registered Toddy Tappers Co-operative societies of Karukonda Ramavaram, Hermachandrapuram and Bommanapalli villages of Khammam District. It is stated that since the licences were expired, they made an application for granting licences for retail sale of toddy for the present excise year. The said applications are pending for consideration before the Excise Authorities. It is further stated that recently in Koppurai village of Khammam District due to consumption of illegal toddy there was an incident of death. In view of the same, without there being any reason, the respondents-Police calling the members of the petitioners' societies and harassing them. The grievance of the petitioners is that they made a representation dated 25-04-2005 before the District Collector, Khammam in this regard but no orders has been passed so far. Hence the present writ petition has been filed.

Since the grievance of the petitioners' Society is that the representation dated 25-04-2005 is pending for consideration before the District Collector, Khammam, I am not inclined to express any opinion on the merits of the case. Instead, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider and dispose of the representation dated 25-04-2005 as expeditiously as possible preferably within a period of two weeks from the date of receipt of a copy of the order.

With the above direction, the writ petition is disposed of. No costs.

29-04-2005

Mjl/*

To,

1 The Secretary, Government of Andhra Pradesh, Home Department,

Secretariat, Hyderabad.
2 The Superintendent of Police, Khammam, Khammam District.
3 The Secretary, Government of Andhra Pradesh, Proh&Excise Dept,

Secretariat,Hyderabad.
4 The Commissioner of Excise, A.P., Hyderabad.
5 The Superintendent of Proh & Excise, Khammam, Khammam District.

6. 2 CCs to G.P. for Proh & Excise, High Court buildings, Hyderabad.

7. 2 CD copies.